

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
 WASHINGTON, D.C. 20554

RECEIVED

JUL 24 2000

In the Matter of)
)
 Amendment of Section 73.202(b))
 Table of Allotments)
 FM Broadcast Stations.)
 (Sparta and Buckhead, Georgia)

FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

MM Docket No. 00-101
 RM-9885

To: Chief, Allocations Branch

COMMENTS OF BARINOWSKI INVESTMENT COMPANY, L.P.

Barinowski Investment Company, L.P. (hereafter "BIC"), by its attorney, hereby submits these comments in support of the proposed substitution of Channel 274C3 for Channel 274A, its reallocation from Sparta to Buckhead, Georgia, as the latter community's first local aural service, and the modification of Station WPMA(FM)'s license in accordance therewith. BIC is the proponent of this rule making. The Commission is seeking comments pursuant to the Notice Of Proposed Rule Making (hereafter the "NPRM"), DA 00-1222, released on June 2, 2000.

1. In the event that the Commission adopts the subject proposal, BIC will promptly file an application to modify the license for WPMA to specify a full, Class C-3 FM facility for Buckhead, Georgia, with 25,000 watts at an antenna height of 100 meters. Upon grant of a construction permit, BIC will promptly build the Class C-3 facilities for

WPMA and place the station into operation therewith. BIC will pay all applicable regulatory fees in connection with this transaction.

2. The Commission's NPRM requested information to support the conclusion that Buckhead, Georgia, is a recognizable community with the type of social, economic, or cultural indicia to qualify it for an FM allotment. The NPRM suggests that Buckhead may lack these various indicia. Such an inference is clearly erroneous, as anyone familiar with Buckhead would support.

THE COMMUNITY OF BUCKHEAD, GEORGIA

3. Buckhead, Georgia, is a separate and distinct incorporated community located in Morgan County, Georgia.¹ Like many smaller communities in Georgia, Buckhead has established geographic boundaries, a water tower that proclaims it to be an independent community, and a long and distinguished history.² Buckhead has a town hall and is governed by a mayor and a town council, all of whom are in the process of a reelection campaign.³ Buckhead has a United States Post Office, a volunteer fire department, and two recreational parks.⁴ The town's spiritual life is provided for by four local churches.⁵ Among local organizations are the Rotary Club of Buckhead and a little league baseball team.⁶ The children in Buckhead generally attend the Morgan County Public Schools, but there is a private school in Buckhead, the

¹ See Attachment A.

² See Attachment B.

³ See Attachment C.

⁴ See Attachment D.

⁵ See Attachment E.

⁶ See Attachment F.

Buckhead Academy.⁷ Buckhead is the home of the Steffen Thomas Museum and Archives, which is dedicated to the life and work of the American German Expressionist artist Steffen Worfgang George Thomas.⁸

4. The community of Buckhead is undergoing a substantial increase in population, with a need for an increase in attendant services. This is largely the result of the development of Lake Oconee, a 19,000 acre lake that is the second largest lake in the State of Georgia.⁹ Buckhead is so situated by the lake that it is becoming the "Gateway to Lake Oconee." As a result of the significant growth, that Buckhead is experiencing, a new town charter was adopted by the Georgia House of Representative and was signed into law by the governor in 1999.¹⁰ In addition, Buckhead was added to the list of communities in the National Flood Insurance Program in 1998 to aid in the development of housing and businesses immediately adjacent to Lake Oconee.¹¹ It is presently the proposed site for a new asphalt plant that will provide building materials for the boom in construction in Buckhead and the Lake Oconee region.¹² Thus, the 1990 U.S. Census data referenced in the NPRM are no longer accurate with regard to Buckhead, or a fair indicator of the vibrancy of that community.

5. The Lake Oconee area is served by several telephone companies. The Pinnacle Telephone Company, Inc. publishes the telephone book for the Lake Oconee region.¹³

⁷ See Attachment G.

⁸ See Attachment H.

⁹ See Attachment I.

¹⁰ See Attachment J.

¹¹ See Attachment K.

¹² See Attachment L.

¹³ See Attachment M.

As noted therein, Pinnacle serves various communities, including Buckhead. Buckhead has its own postal "zip" code and the telephone exchange 342. The list of person on the 342 exchange is extensive. Buckhead is a thriving commercial community with many businesses, its own CATV system, but without a local broadcast station.¹⁴

THE SERVICE PROVIDED BY WPMA

6. WPMA is licensed to operate with an effective radiated power of 6,000 watts, consistent with the current FM Channel 274A allotment at Sparta, Georgia. This allotment cannot be up-grade at Sparta to allow WPMA to provide service to a greater area, including the community of Buckhead, Georgia. As shown in the WPMA license file, the station serves an area of 1307 square miles and a population of 9,433 persons within its 60 dBu contour.¹⁵

7. Through the proposed reallocation of FM Channel 274C-3 to Buckhead as its first local service, WPMA will be able to serve an area of approximately 3,904 square miles and a population of approximately 15, 203 persons.¹⁶ In addition, WPMA will continue to place a 60 dBu contour over the community of Sparta, Georgia and areas north and west of that community that are presently within the 60 dBu contour of the station.

8. The very small area south and east of Sparta that will lose 60 dBu contour service from WPMA are already well provided with other primary aural services. WSB(AM) and WGST(AM), Atlanta, Georgia, are both 50,000 watt regional AM clear

¹⁴ See Attachment N.

¹⁵ See Attachment O.

channel stations that place city grade contours over this entire region during the day and at night. Milledgeville, Georgia, a community approximately 15 miles southwest of Sparta, is licensed with AM stations WMVG and WKGQ and FM stations WLRR, WKZR, and WGUR. Sanderson, Georgia, even closer to Sparta in the southeast, has full-time AM station WSNT providing service into Sparta, as does FM station WRFN(FM), Warrenton, Georgia.¹⁷

9. Moreover, Augusta Radio Fellowship Institute, Inc, a large noncommercial broadcast station licensee in Georgia, North Carolina and South Carolina, has a construction permit for a new noncommercial FM station at Sparta, WJDS(FM). It is believed that this station will commence operation in the very near future.¹⁸

10. Accordingly, there will be no lack of broadcast service to that very small area that will no longer be within the 60 dBu contour of WPMA when it up-grades its facilities to a C-3 station. In fact, most of the present WPMA 60 dBu contour will be encompassed by the Class C-3 contour. Thus, the proposed reallocation of FM channel 274C-3 to Buckhead, Georgia is fully consistent with existing Commission policy and precedent, and the public interest standard in Section 307(b) of the Communications Act of 1934, as amended.

¹⁶ See Attachment P.

¹⁷ See Attachment Q.

Wherefore, Barinowski Investment Company, L.P. respectfully requests that the Commission adopt the proposal in the NPRM and the modification in the license for WPMA.

Respectfully submitted,

Barinowski Investment Company, L.P.

By:

Jeffrey D. Southmayd

Its Attorney

Southmayd & Miller
1220 19th Street, N.W.
Suite 400
Washington, D.C. 20036
(202) 331-4100

Date: July 24, 2000

¹⁸ See FCC File BPED-990318MA.

ATTACHMENT A

[Click here to visit Southern Cross Ranch...](#)

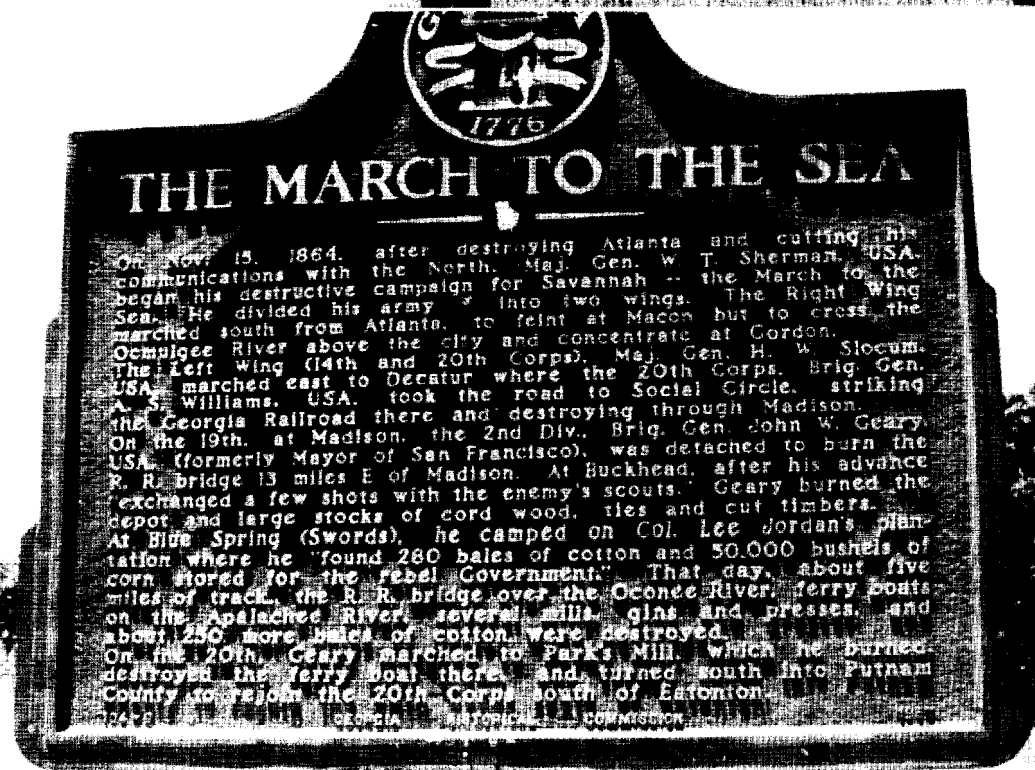
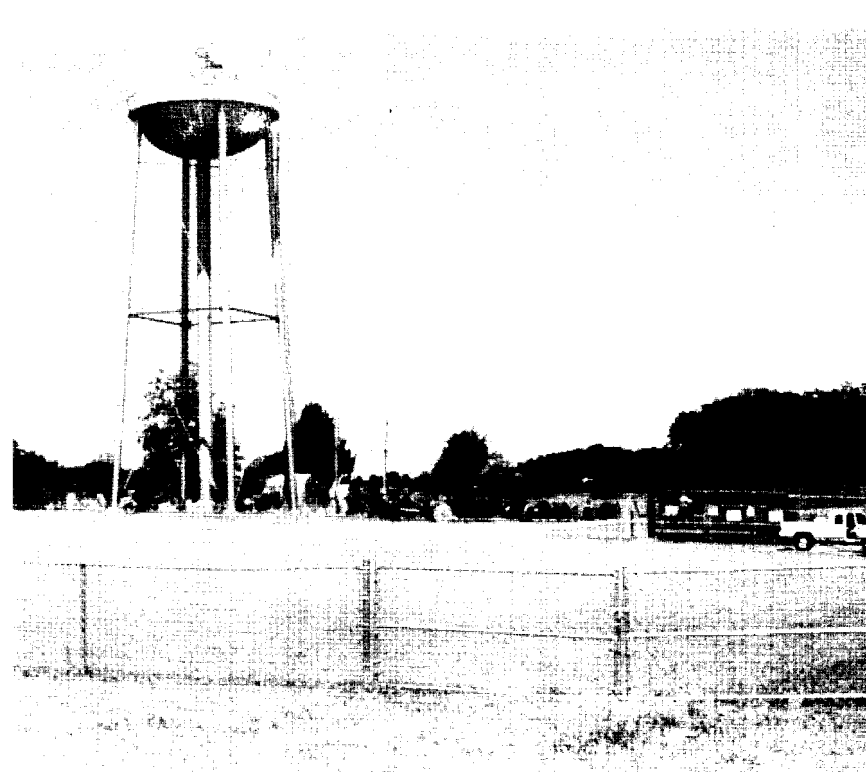


The Information Center...

Morgan County was formed from sections of Baldwin and Greene Counties in 1807. The City of Madison has been the county seat since its incorporation in 1809. Morgan County is also home to the City of Rutledge founded in 1845, the City of Bostwick, and the City of Buckhead, founded in 1891. Apalachee, Newborn, Godfrey, and Swords complete Morgan County's communities. Home of Georgia's largest state park, Hard Labor Creek State Park offers visitors amenities that include golf, swimming, hiking, fishing, horseback riding, and cabins. Morgan County also includes part of Lake Oconee, a 19,000 acre reservoir providing some of the state's best fishing, water skiing, boating, camping, picnicking, championship golf and tennis, as well as beautiful lakefront homes. So, if you are interested in learning more about the beautiful and historic places of Morgan County, please click on the links below.



ATTACHMENT B



ATTACHMENT C



Charles P. Williams, Post 2

Michelle Strott, Post 3

Michael M. McQuade, Post 4

Town of Buckhead Officials

Steve Bryant, Mayor

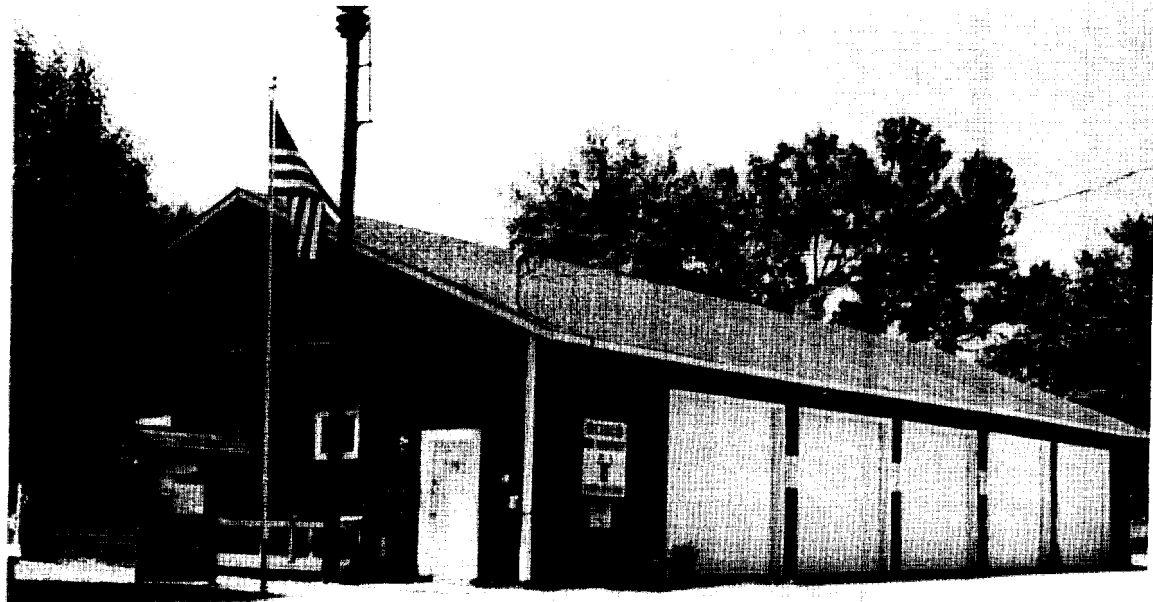
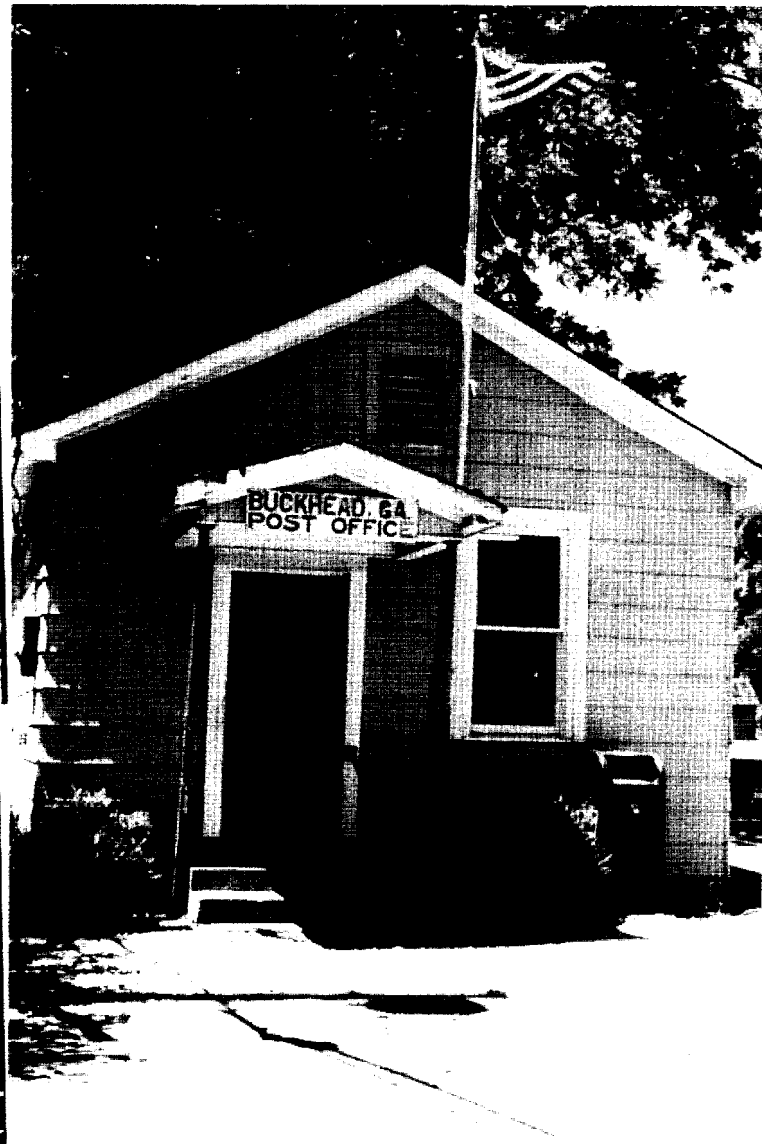
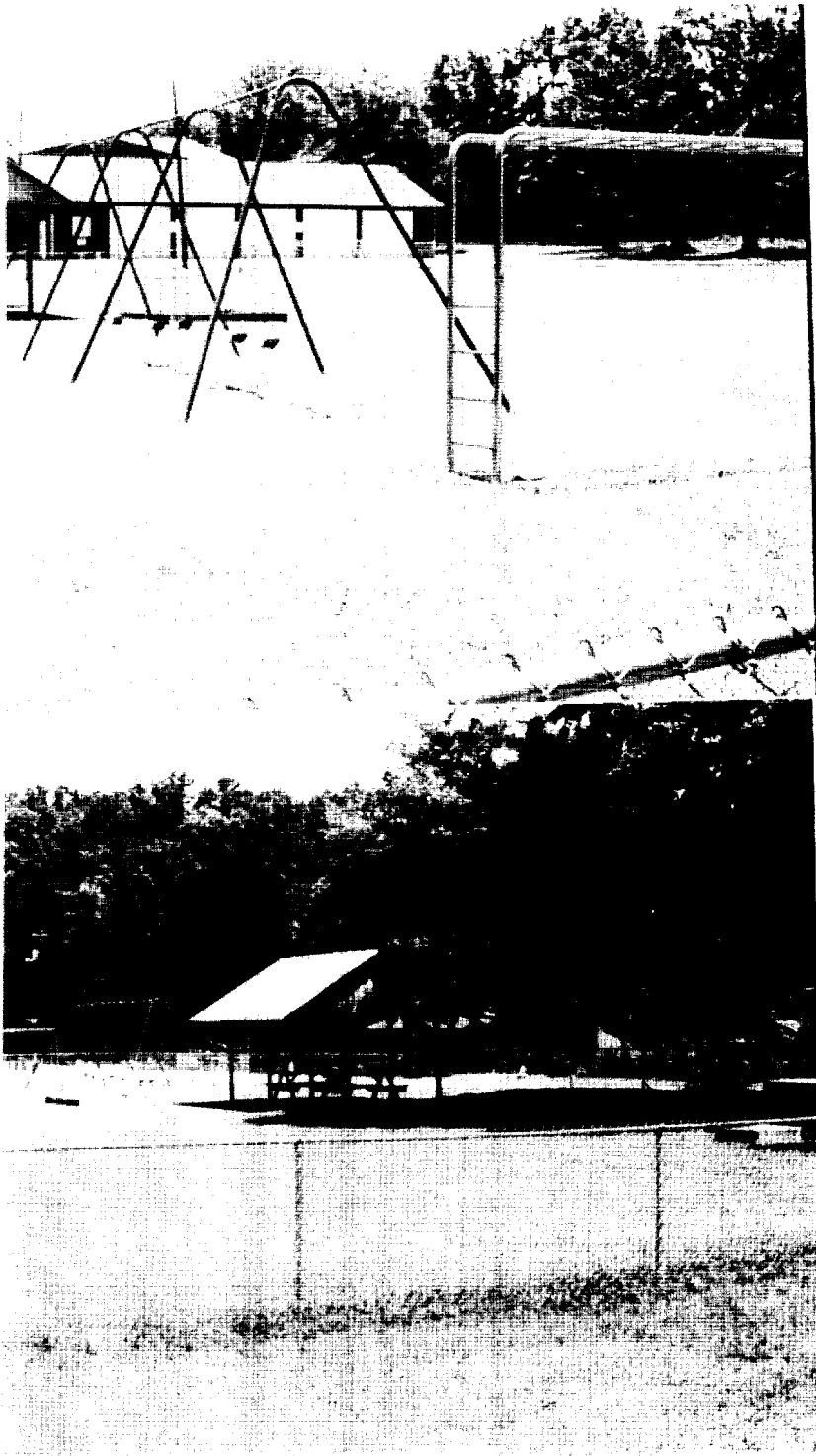
Gail Wade, council member

Nelson Stewart, council member

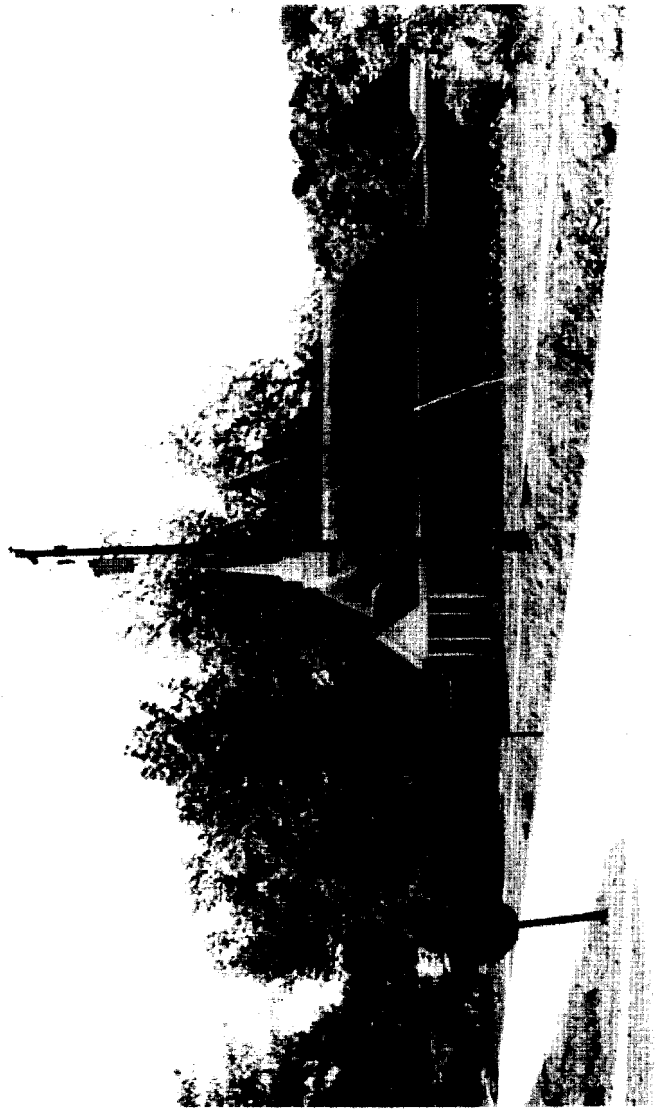
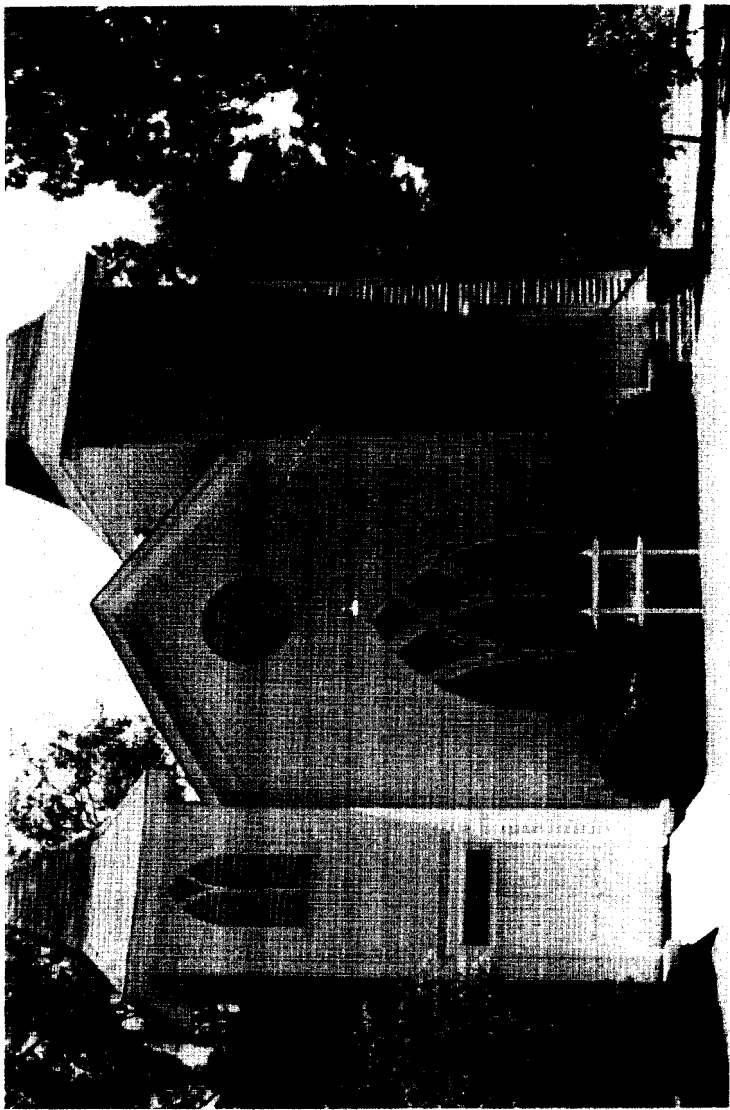
Tim Saye, council member

Chuck Gilley, council member

ATTACHMENT D



ATTACHMENT E

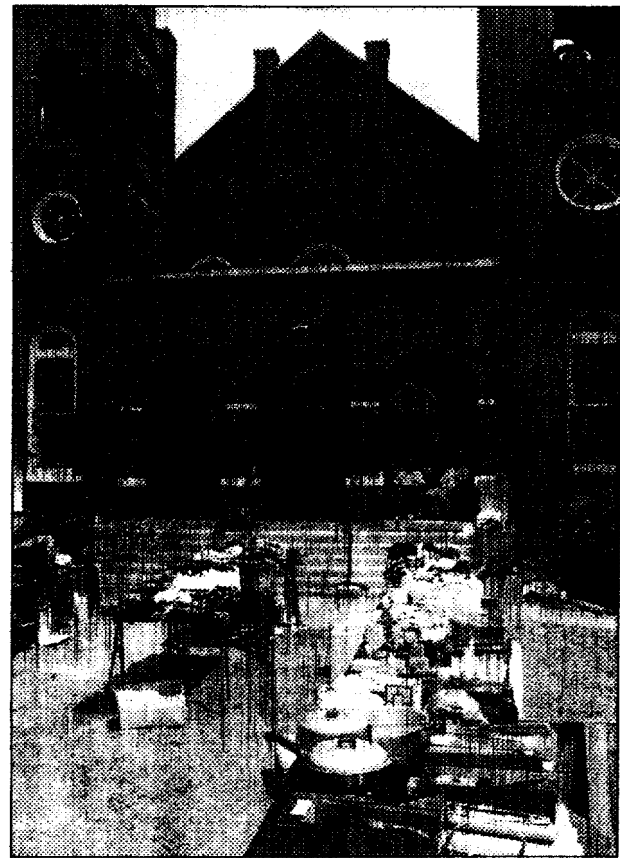




Founder's Day...

Buckhead United Methodist Church held its annual Founder's Day Yard Sale Saturday. Roy Mitchell and the Road Band (below) provided entertainment for guests at the yard sale. Proceeds from the sale went to the church's preservation fund. The Buckhead United Methodist Church was founded in 1842. Activities included the sounds of Mitchell and the Road Band as well as long tables of items for sale (right). Hamburgers and hot dogs were also available, the proceeds going to the church.

Photos P. YOST



ATTACHMENT F



The Buckhead Rotary Foundation

At the International Convention of 1991-1992 in Orlando, Past President John Dykes, came home with the idea that The Rotary Club of Buckhead needed an endowment fund to be the financial foundation of our Club. Many clubs have endowments in place exceeding a million dollars and continue to sustain club charitable objectives from earnings received.

The purpose of The Buckhead Rotary Foundation is to provide a vehicle through which Buckhead Rotarians and others can support various charitable projects in which Buckhead Rotary is interested. The Foundation is an IRS approved 501-c-3 organization. The projects supported shall be selected by the foundation Board of Directors, taking into consideration the desires and interest of the Buckhead Rotary Club members. Supported projects must be such that contributions are tax deductible under the United States Revenue Codes.

The primary source of funds is expected to be from wills and endowments. The Buckhead Rotary Foundation provides a vehicle by which a Rotarian can continue to support Buckhead Rotary's charitable works by becoming a Benefactor. A second source of funds will be from contributions made by members and others. These contributions will be recognized with four designations:

- Patron (\$2,000)
- Fellow (\$1,000)
- Benefactor (\$1,000 bequest)
- Sustainer (\$100 per year)

A third source of funds will be Memorial Funds collected in memory of a member or other person. A fourth source of funds would be the contributions of the net proceeds from other Buckhead Rotary programs. However, it is not the policy of The Buckhead Rotary Foundation to hold, sponsor, or participate in such fund raising projects, nor does the Foundation anticipate holding its own fund raising functions.

Unless otherwise specified, all cash contributions will be considered not restricted to a particular project or program. Interest on restricted funds shall be considered non-restricted funds. All contributions shall be considered to be restricted to use earnings only. To the extent possible, funds will be invested in conservative income producing investments. It is the intent to build the fund, which implies that normally the expenditures in a year would not exceed the interest income.

The Board of Directors and Officers of The Rotary Club of Buckhead will serve as officers and Directors of the Foundation and will be sworn in each year at the President's Ball. The Past President of the club will serve as chairman of the committee.



Georgia House of Representatives

SR 183 - Buckhead Baseball T-League Red Sox - commend team & others



First Reader Summary

A resolution commending Mark Young, Marshall and Martha Hunt, J. B. Gilbert, Kathy Stuart, and the Buckhead Baseball T-League Red Sox Team.

Tanksley, Charles B (32nd)					
Status Summary	HC:	SC:	LA: 02/11/97	S - Passed/Adopted	

Page Numbers - 1/2

Senate	Action	House
2/11/97	Read 1st time	
2/11/97	Passed/Adopted	

SR 183

LC 8 2991

A RESOLUTION

1- 1 Commending Mark Young, Marshall and Martha Hunt, J.B.
1- 2 Gilbert, Kathy Stuart, and the Buckhead Baseball T-League
1- 3 Red Sox Team; and for other purposes.

1- 4 WHEREAS, Mark Young, Marshall Hunt, and J.B. Gilbert have
1- 5 given generously of their time and resources to coach the
1- 6 athletic teams involved in community little league, YMCA
1- 7 soccer, and church basketball leagues that include their
1- 8 children and the children of many other parents in their
1- 9 neighborhood; and

1-10 WHEREAS, Marshall and Martha Hunt have been especially
1-11 generous in building a "field of dreams" in their front yard
1-12 for the use of their children, neighbors' children, and
1-13 athletic teams in the community; and

1-14 WHEREAS, Mark Young, Marshall Hunt, J.B. Gilbert and Kathy
1-15 Stuart served respectively as the manager, coaches, and team
1-16 mother of the Buckhead Baseball T-League Red Sox during
1-17 1996; and

1-18 WHEREAS, the team members are Haynes Rudder, Wes Stuart,
1-19 James Gilbert, Rich Rubio, Merrill Dashiell, Benjamin
1-20 Dashiell, Jephtha Tanksley, Smith Haverty, Brian Locklear,
1-21 Nicholas Schulz, Paul Henry Hunt, Dan Young, Mac Munford,
1-22 and Jesse Eidson; and

1-23 WHEREAS, these fine young athletes completed the season
1-24 undefeated and were named Buckhead Baseball T-League
1-25 Champions; and their outstanding record reflects not only
1-26 their ability but the expertise, training, and encouragement
1-27 provided by their dedicated coaching staff.

1-28 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that the
1-29 members of this body commend Mark Young, Marshall and Martha
1-30 Hunt, J.B. Gilbert, and Kathy Stuart for their devotion to
1-31 the children in their community and congratulate the
1-32 Buckhead Baseball T-League Red Sox Team on their excellent
1-33 performance.

-1-

2- 1 BE IT FURTHER RESOLVED that the Secretary of the Senate is
2- 2 authorized and directed to transmit an appropriate copy of
2- 3 this resolution to these parents and team members.

ATTACHMENT G

Community Service Information

Greene County Board Of Education
453-7688
Morgan County Schools
342-0752
Putnam County Board Of Education
485-5381

Parents are required to bring a copy of the student's previous school records, immunization, birth certificate, and social security card to the appropriate school according to grade level.

Greene County Board Of Education
453-7688

Morgan County Schools
342-0752

Putnam County Board Of Education
485-5381

Athens Academy 549-9225

Athens Tech 453-7345

Bethel Christian 488-1888

Buckhead Pre-School Academy 342-9271

Corn Elementary 453-7338

Gatewood Schools 485-8231

Greene County Preschool 486-4131

Greene Taliaferro Middle 453-3308

Greene Taliaferro High 453-2271

Greensboro Primary School 453-2214

Morgan Co. Elementary 342-5039

Morgan Co. High 342-2336

Morgan Co. Middle 342-0556

Morgan Co. Primary 342-3475

Nathanael Greene Academy 467-2147

Putnam County Elementary 485-5141

Putnam County Middle 485-8547

Putnam County High School 485-9971

Union Point Elementary 486-4117

Gas, Water & Garbage

City of Madison
132 N. Main St., 342-1251

Electric

Central Georgia EMC
P. O. Box 309, Jackson 770-775-7867 or
800-222-4877

Georgia Power Company
285 N. Main St., Madison 342-1462
202-D S. Main St., Greensboro 453-7375
203 S. Oak St., Eatonton 485-2271

Rayle EMC
1461 South Hwy. 15, Greensboro
453-2268

Snapping Shoals EMC
14750 Brown Bridge Rd., Covington
786-3484

Tri County Electric Membership Corp.
Hwy. 441, Eatonton 485-6122 or
800-342-3812

Walton EMC
Hwy. 78 East, Monroe 770-267-2505 or
800-342-6582

Greene County Voter Registration Office
453-1108

Madison City Hall
132 North Main St. 342-1251
Office Of Voter Registration
380 Hancock St., Madison 342-2508

Putnam County Courthouse
Clerk of Courts Office 485-4501
Planning & Zoning Office
N. Washington St. Eatonton
485-2776

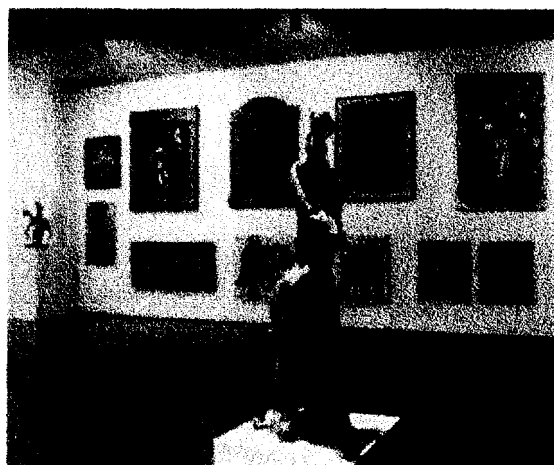
ATTACHMENT H

Steffen Thomas Museum and Archives

4200 Bethany Rd.
Buckhead, GA 30625

Phone: (706) 342-7557
Fax: (706) 342-4348

Email: info@steffenthomas.org
Url: <http://www.steffenthomas.org>



Steffen Thomas

Welcome to the Steffen Thomas Museum & Archives

Welcome to the Steffen Thomas Museum and Archives, a private museum in Buckhead, Georgia, a community approximately 70 miles east of Atlanta. The Museum is dedicated to the life and work of the American German Expressionist artist, Steffen Wolfgang George Thomas.

Although Steffen Thomas died in 1990, his home retained an overwhelming sense of presence through the artwork that covered almost every available inch of wall and table space. The effect was fascinating, and has been repeated now in the highly characteristic installation curated by his widow, Sara Douglass Thomas, in the main galleries of the Steffen Thomas Museum and Archives.

Across more than 7,000 square feet of exhibition space, containing works in all media, from Thomas' mosaic furniture to paintings, works on paper, and larger-than-life sculptures, the dramatic effect of being in the presence of this prolific and restless artist is recreated with powerful impact.



Trained in Germany as a sculptor, Steffen Thomas emigrated to the United States in 1928, at the age of 22, where he lived until his death in 1990. During his life, he also worked in a wide range of other media including painting, printmaking, drawing and mosaic.

Conceived and founded by the artist's widow, Sara Douglass Thomas, the Museum is located in a pastoral setting with rolling hills, pastures and lakes. Sara and other family members live close by. The building includes more than 7,000 square feet of exhibition galleries and over 1,500 square feet of storage that meet high museum and archival standards. It also contains extensive administrative and support spaces. The Museum was created to preserve the


artist's works and to make them available to scholars and to the general public. Through the museum the family hoped to share with the public its enthusiasm for and appreciation of the life and work of Steffen Thomas.

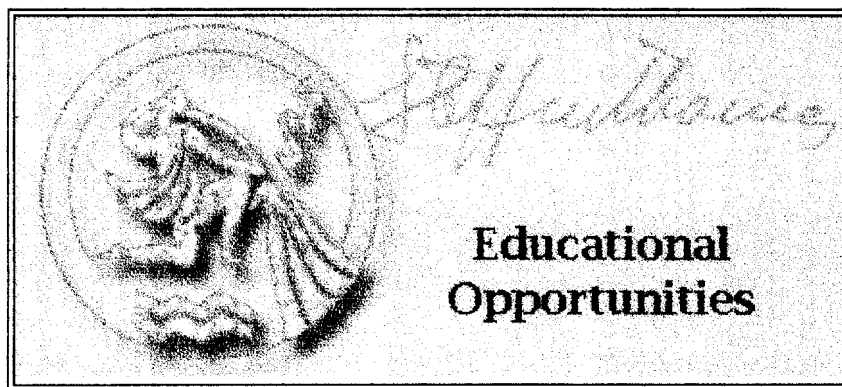
The Museum seeks to disseminate the imagery of the Artist's work as widely as possible, as well as to conduct and encourage research and documentation on the more than 9,000 works of art that were made during the Artist's lifetime that are housed in the museum or in collections worldwide. To accomplish those purposes, the Steffen Thomas Museum and Archives has four major areas of focus in its programs and services:

- Having a regular program of exhibitions of work by Steffen Thomas open to the public in its galleries in Buckhead, Georgia. These exhibits include sculpture in cast metals (especially bronze), welded metals, and stone; paintings in oil, encaustic, water color, acrylic, and a variety of mixed media; mosaics; graphics, drawings, and ceramics.
- Providing opportunities to interested scholars for research and documentation of the artist's works and papers.
- Providing exhibitions, materials, and educational programs to schools and to other museums and galleries.
- Establishing and maintaining a web site that contains general information about Steffen Thomas and his work and that maintains a changing display of selected works.

In cooperation with the Steffen Thomas family, the Museum is engaged in a significant program to document fully the works that are currently held in the collections of the family and numerous collectors. Over 6,000 of these works are held by the Museum through long-term loan from the family. With those loaned works, and the loaned collections of sketches, writings, notes, papers, and memorabilia, the Museum operates a program to design and assemble exhibitions for university galleries, museums, and other appropriate venues and to offer research opportunities and internships to scholars or other art professionals who might have an interest in the work or archives. The Archives is nearing completion of an optical and alphanumeric computer database of the works of the Artist currently held. It plans to begin registering the contents of more than a dozen significant public and private collections of Steffen Thomas' work in coming years and to register all other works that can be located or identified.

For more information, write us or contact us by email at director@steffenthomas.com

Navigation Button 



• Research Opportunities for Scholars

The Steffen Thomas Museum and Archives has developed a comprehensive, illustrated database of more than 6,000 of the Artist's works, including works in private collections, public monuments and sculpture, and works on paper. The Archives Provides housing and preservation for collections of the artist's works, as well as his studies, his writings, notes, papers and memorabilia.

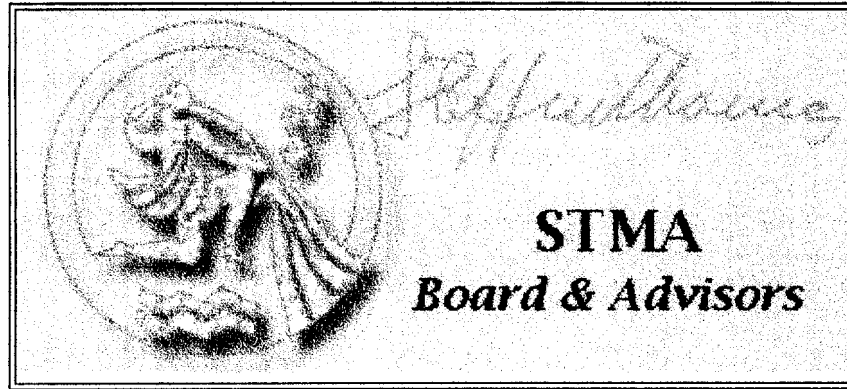
• Resources for Educators

One Mission of the Museum is to produce and distribute educational materials concerning the life and work of Steffen Thomas. The life of the artist (1906-1990) spans the most exciting era of modern art. Those styles, movements, and philosophies are embodied in each work he created. These works can be used to teach everything from the basics of form, line, and color to the complexities of technique, the exploration of ideas, and the influence of world events on the arts.

Please contact the Steffen Thomas Museum and Archives
for more information.

4200 Bethany Road Buckhead, Georgia 30625
(706) 342.7557 Facsimile (706) 342.4348
info@steffenthomas.org

Navigation Button ▼



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